

## VPDES PERMIT FACT SHEET

This document gives pertinent information concerning the reissuance of the VPDES permit listed below. This permit is being processed as a Minor, Industrial permit. The effluent limitations contained in this permit will maintain the Water Quality Standards of 9 VAC 25-260-00 et seq. The intermittent discharge results from the operation of a mineral sands concentrator facility. This permit action consists of updating all applicable effluent limitations and monitoring requirements.

1. Facility Name: Iluka Resources Inc – Concord Mine Concentrator SIC Code: 1099  
Mailing Address: Iluka Resources, Inc.  
12472 St. John Church Rd.  
Stony Creek, VA 23882  
  
Location: 16474 Walkers Mill Rd.  
Stony Creek, VA 23882  
Sussex County
2. Permit Number VA0091456  
Existing Permit Expiration Date: April 11, 2011
3. Owner Contact Name: Jack Rayburn  
Title: Environmental Health and Safety Supervisor  
Telephone No: (434) 348-4300
4. Application Complete Date: January 21, 2011  
Permit Drafted By: Janine Howard, Piedmont Regional Office  
Date: December 9, 2010  
Reviewed By: Brad Ricks Date: 12/22/2010  
Curt Linderman Date: 3/21/2011  
Charlie Stitzer Date: 3/24/2011  
  
Public Comment Period: 4/13/2011-5/16/2011  
Newspaper: The Sussex-Surry Dispatch
5. Receiving Stream Name: Unnamed Tributary to Hardwood Creek  
River Mile: 5AXFQ001.02  
Basin: Chowan and Dismal Swamp  
Subbasin: Chowan River  
Section: 2b  
Class: III  
Special Standards: None  
7-Day, 10-Year Low Flows: 0.0 MGD  
1-Day, 10-Year Low Flows: 0.0 MGD  
30-Day, 5-Year Low Flows: 0.0 MGD  
30-Day, 10-Year Low Flows: 0.0 MGD  
Harmonic Mean Flow: 0.0 MGD  
Tidal: NO  
On 303(d) list: NO

### **Attachment A – Flow Frequency Memorandum**

6. Operator License Requirements: None
7. Reliability Class: N/A

8. Permit Characterization:

(X) Private                      ( ) Federal                      ( ) State                      ( ) POTW  
 ( ) Possible Interstate Effect                      ( ) Interim Limits in Other Document

9. **Table 1.** Discharge Description

Outfall Number	Discharge Source	Treatment	Maximum Daily Flow
001	Mineral Sands Concentrator	Settling Ponds	3.168 MGD

**Attachment B** – Plant Flow diagram, Facility Diagram

Iluka Resource Inc. mines heavy mineral sands for ilmenite, zircon, and staurolite. This is the first reissuance for Concord Mine Concentrator (VA0091456). The facility uses process water to move and separate mineral sands from clay and gangue minerals in the ore body. Coarse waste material such as pebbles, gravel, and quartz sand is removed from the process water during the physical separation process using screens and a gravity separation drum. The process water enters a thickener, where suspended clays will settle out with the aid of a biodegradable flocculent. The settled clays are pumped along with the previously removed coarse materials, to tailings ponds for disposal and post-mining land reclamation. The water then flows from the thickener to the operational units associated with VA0091456, the three Settling Ponds. The settling ponds are used to settle fine solids from the process water. The water is then recycled back into the plant in most circumstances. The applicant predicts that the Settling Pond will seldom discharge because the concentrator process includes the recycling and reuse of most of its water supply. Discharge is often weather-dependant and discharges are most common during periods of high precipitation. The combined volume of the 3 ponds is 12,830,677 gallons. Under normal operation conditions (2,000 gal per minute discharged at 001) the ponds provide 4 days of retention time.

This facility is subject to the Industrial Storm Water General Permit under permit number VAR051396, which addresses storm water runoff from the site.

10. Solids Use or Disposal: Sediment not associated with domestic wastewater is generated in the mining process and settles out in the settling ponds. Periodically, the sediment is pumped out of the ponds and into the previously mined pits. The tailings, or excess (unwanted) sediment and sand, separated out during the concentration process, are also used to fill old mine pits. The back-filling of formerly mined pits with the tailings is associated with the land reclamation process completed after an area has been mined and is no longer producing ore.
11. Discharge(s) Location Description: **Attachment C** – USGS Cherry Hill Topographic Quadrangle #040A
12. Material Storage: The facility uses an Aluminum Chloride Hydroxide and Calcium Chloride based flocculent for water clarification in the settling ponds. Fuel is stored in aboveground storage tanks (ASTs) with secondary containment. The total storage capacity is 11,500 gallons (10,750 gallons diesel, 500 gallons gasoline, and 250 gallons kerosene). Visual inspections of all tanks and containment areas are made each quarter and spill kits are available in close proximity to all tanks. The approved groundwater monitoring plan tests for Total Petroleum Hydrocarbons (TPH) (gas and diesel) as a precautionary measure. All other materials considered a threat to the environment are stored in containers and under roof at this facility.

There are three diesel tanks (10,000 gallons, 500 gallons, 250 gallons) with a combined volume of 10,750 gallons. The 10,000 gallon diesel AST, due to its size, is regulated under 9 VAC 25-91-10 et seq. (Facility and Aboveground Storage Tank Regulation). It is registered with DEQ under ID No. 4039149. The remaining ASTs, being less than 660 gallons in volume, are not required to be registered under this regulation.

Due to the total volume of the ASTs being less than 25,000 gallons, the ASTs are not regulated under 9 VAC 25-640-10 et seq., the Aboveground Storage Tank and Pipeline Facility Financial Responsibility Requirements Regulation.

13. Ambient Water Quality Information: Ambient water quality data are not needed because the receiving stream flows are zero at the theoretical low flows used to determine the need for water quality based effluent limitations. For this reason effluent is assumed to comprise 100% of the discharge and effluent data were used in place of ambient stream data to evaluate the wasteload allocations and the need for effluent limitations.

14. Antidegradation Review & Comments:

Tier: 1 X 2 \_\_\_\_\_ 3 \_\_\_\_\_

The State Water Control Board's Water Quality Standards includes an antidegradation policy (9 VAC 25-260-30). All state surface waters are provided one of three levels of antidegradation protection. For Tier 1 or existing use protection, existing uses of the water body and the water quality to protect these uses must be maintained. Tier 2 water bodies have water quality that is better than the water quality standards. Significant lowering of the water quality of Tier 2 waters is not allowed without an evaluation of the economic and social impacts. Tier 3 water bodies are exceptional waters and are so designated by regulatory amendment. The antidegradation policy prohibits new or expanded discharges into exceptional waters.

The antidegradation review begins with a Tier determination. The unnamed tributary to Hardwood Creek is determined to be a Tier 1 waterbody due to its ephemeral nature. Beneficial uses cannot be fully attained based on the intermittent nature of the stream.

15. Site Inspection Performed by: Charles Stitzer                      See **Attachment D**: Site Inspection Report  
Date: August 5, 2009

16. Effluent Screening & Limitation Development:

Numeric permit limitation calculations utilize conservative low flow ambient conditions to represent circumstances in which the effluent has the greatest potential to impact the receiving stream. At the discharge point, the receiving stream is a dry ditch; therefore, a 100% mix is standard for 0 MGD receiving stream flows and stream information and effluent information is identical in MSTRANTI. A mean effluent hardness value was obtained from data submitted with the application. The maximum average temperature value (27.7°C) from Form 2C was assumed to be a reasonable approximation of the 90<sup>th</sup> percentile stream/effluent temperature. The 90% maximum pH and 10% maximum pH were calculated from DMR data. MSTRANTI was used to determine maximum wasteload allocations (WLA) for each water quality parameter that will maintain the Water Quality Standards (WQS) in the receiving stream. The WLA is then entered in Stats.exe to perform a reasonable potential evaluation of parameters that were reported in the application at quantifiable levels. See the MSTRANTI data source report contained in **Attachment E**.

Permit Attachment A, Water Quality Criteria Monitoring, was required to be submitted within one year of the current permit's effective date. Water Quality Criteria Monitoring was completed in 2006 and the results were received by DEQ on January 10, 2007. The permittee certified in the 2010 permit reissuance application that the facility's process water effluent is still characterized by the January 10, 2007 Water Quality Criteria Monitoring results. The permittee submitted updated test reports for all of the parameters for which the required quantification levels (QL) were more restrictive in 2010 than they were in 2006. A review of the data indicated that all parameters except chlorides and ammonia were below the required QL and therefore were considered absent for the purposes of this evaluation. A reasonable potential analysis for the reported value of 9.1 mg/L chlorides was performed and no limit was necessary. Ammonia was reported as 0.06 mg/L in the 2006 data and 0.02 mg/L in the 2010 data. A reasonable potential analysis was performed and no limit was necessary.

The Stats.exe results are contained in Attachment E along with the effluent data.

**Table 2.** Basis for Effluent Limitations

Parameter	Limitation	Basis for Limitation
Flow	Monitoring Only	Not Applicable
TSS	30.0 mg/L monthly average 60.0 mg/L daily maximum	Best Engineering Judgement
pH	6.0 to 9.0 Standard Units (S.U.)	State Water Quality Standards

a. Best Engineering Judgment (BEJ)

TSS: TSS limits of 30 mg/L (monthly average) and 60 mg/L (daily maximum) were carried forward from the previous permit. As no federal effluent guidelines currently exist for discharges from mineral sands mining operations, the limitations are based on Best Engineering Judgment.

b. Water Quality Standards/Water Quality-Based

pH: 9 VAC 25-260-50 of the VA Water Quality Standards outlines numerical criteria for pH in Class III waters between 6.0 S.U. and 9.0 S.U.

Effluent data reporting on EPA Form 2C consists of pollutants believed present in the facility's effluent or those for which testing is required.

Form 2C data was evaluated for parameters that were reported at a quantifiable concentration. The majority of parameters analyzed tested below agency QLs and were considered absent for the purposes of this reissuance. Radioactive parameters were identified in quantifiable concentrations; therefore, further consideration was necessary.

**Table 3.** Human Health Evaluation for radionuclides

Parameter	Human Health Standard	Maximum Effluent Concentration
Gross Alpha	15 pCi/L	1.3 pCi/L
Beta Particle and Photon Activity	4 mrem/yr	46.3 pCi/L
Combined Radium 226 & 228	5 pCi/L	0.20 pCi/L

No wasteload allocations for these parameters were assigned by MSTRANTI; therefore, a reasonable potential analysis was not required. A comparison of the reported effluent concentration and the human health standard is provided in Table 3. This facility does not discharge to a public water supply. Both Gross Alpha and Combined Radium 226 & 228 maximum concentrations test below the human health standard therefore it is DEQ's BEJ that these parameters do not warrant concern.

In the application packet, the values reported for Beta Particle and Photon Activity in the effluent were in units of activity (i.e. pCi/L) whereas the applicable water quality standard is an exposure in terms of mrem/yr. The EPA has established this standard for community potable water systems. EPA guidance states that compliance with the potable water standard may be assumed if the average annual concentration of Beta Particle and Photon Activity is less than 50 pCi/L (Radionuclides in Drinking Water: A Small Entity Compliance Guide. EPA 815-R-02-001, February 2002.; <http://www.epa.gov/safewater/radionuclides/compliancehelp.html>). Consequently, the reported concentrations of Beta Particle and Photon Activity are considered to meet the applicable water quality standards.

As indicated in Table 3, these parameters do not present a reasonable potential to cause or contribute to a water quality standard violation or present a human health concern.

**Attachment E** – Effluent Data, MSTRANTI Data Source Report, MSTRANTI and STATS.exe analyses.

17. Antibacksliding Statement: All limits in this permit are at least as stringent as those in the preceding permit.
18. Compliance Schedules: None

19. Special Conditions:

B.1. **Operation and Maintenance (O & M) Manual Requirement**

**Rationale:** Required by Code of Virginia § 62.1-44.16; VPDES Permit Regulation, 9 VAC 25-31-190 E, and 40 CFR 122.41(e). These require proper operation and maintenance of the permitted facility. Compliance with an approved O & M manual ensures this.

B.2. **Total Maximum Daily Load (TMDL) Reopener**

**Rationale:** Section 303(d) of the Clean Water Act requires that Total Maximum Daily Loads (TMDLs) be developed for streams listed as impaired. This special condition is to allow the permit to be reopened if necessary to bring it into compliance with any applicable TMDL approved for the receiving stream. The reopener recognizes that, according to Section 402(o)(1) of the Clean Water Act, limits and/or conditions may be either more or less stringent than those contained in this permit. Specifically, they can be relaxed if they are the result of a TMDL, basin plan, or other wasteload allocation prepared under section 303 of the Act. This reopener is included in all VPDES permits.

B.3. **Notification Levels**

**Rationale:** Required by VPDES Permit Regulation, 9 VAC 25-31-200 A for all manufacturing, commercial, mining, and silvicultural dischargers.

B.4. **Materials Handling/Storage**

**Rationale:** 9 VAC 25-31-50 A prohibits the discharge of any wastes into State waters unless authorized by permit. Code of Virginia § 62.1-44.16 and 62.1-44.17 authorizes the Board to regulate the discharge of industrial waste or other waste.

B.5. **Compliance Reporting**

**Rationale:** Authorized by VPDES Permit Regulation, 9VAC25-31-190 J 4 and 220 I. This condition is necessary when pollutants are monitored by the permittee and a maximum level of quantification and/or a specific analytical method is required in order to assess compliance with a permit limit or to compare effluent quality with a numeric criterion. The condition also establishes protocols for calculation of reported values.

B.6. **Facility Closure Plan**

**Rationale:** §62.1-44.16 of the State Water Control Law. This condition establishes the requirement to submit a closure plan for the wastewater treatment facility if the treatment facility is being replaced or is expected to close.

B.7. **Ground Water Monitoring Plan**

**Rationale:** State Water Control Law § 62.1-44.21 authorizes the Board to request information needed to determine the discharge's impact on State waters. Ground water monitoring for parameters of concern will indicate whether possible lagoon seepage is resulting in violations of the State Water Control Board's Ground Water Standards.

Due to the apparent degradation of groundwater associated with the treatment units (see Attachment I-Groundwater Monitoring Evaluation) a Corrective Action Plan is required with this reissuance. Increased sampling frequency to quarterly (formerly semi-annual) is also required and will be used to assess the groundwater quality as the CAP is implemented.

B.8. **Concept Engineering Report (CER) Special Condition**

**Rationale:** §62.1-44.16 of the Code of Virginia requires industrial facilities to obtain DEQ approval for proposed discharges of industrial wastewater. A CER means a document setting forth preliminary concepts or basic information for the design of industrial wastewater treatment facilities and the supporting calculations for sizing the treatment operations.

C. **Whole Effluent Toxicity Testing**

**Rationale:** VPDES Permit Regulation, 9 VAC 25-31-210 and 220 I, requires monitoring in the permit to provide for and assure compliance with all applicable requirements of the State Water Control Law and the Clean Water Act.

Two species acute Whole Effluent Toxicity (WET) testing is required for the facility as it is an intermittent industrial discharge with an effluent production of more than .05 MGD. The WET testing shall occur annually for the duration of the permit. See **Attachment H** – WETLIM results and WET memo.

Part II **Conditions Applicable to All Permits**

**Rationale:** VPDES Permit Regulation, 9 VAC 25-31-190 requires all VPDES permits to contain or specifically cite the conditions listed.

20. NPDES Permit Rating Work Sheet: Total Score 55

See **Attachment F**: NPDES Permit Rating Worksheet

Note: Within SIC code 1099 (Miscellaneous Metal Ores, Not Elsewhere Classified), Iluka's mining and processing activities fall under 40 CFR Part 440- Ore Mining and Dressing Point Source Category, Subpart E- Titanium Ores. The NPDES permit rating is based on this category.

21. Changes to Permit:

**Table 4.** Changes to Cover Page.

From:	To:	Reason:
Facility Location: 16474 Walkers Mill Rd.	Facility Location: 16474 Walkers Mill Road	Abbreviation dropped for clarity.
City: N/A	---	Removed to reflect January 27, 2010 VPDES Permit Manual, Section IN-1.
Boilerplate language	Boilerplate Language Updated Version	Verbiage revised per January 27, 2010 VPDES Permit Manual, Section IN-1.
Director, Department of Environmental Quality	Water Permit Manager, Piedmont Regional Office	Agency Policy Statement No. 2-09 "Delegations of Authority" (10/31/2008)

**Table 5.** Changes to Part I.A Limitations and Monitoring Requirements Page.

From:	To:	Reason:
TSS (mg/l) Monthly Average: 30.0 Daily Maximum: 60.0	TSS (mg/l) Monthly Average: 30 Daily Maximum: 60	GM06-2016; footnote 2 cited
NL Footnote	NL means No Limitation. Monitoring and reporting are required.	Language and reporting requirement clarification.
NA Footnote	NA means Not Applicable.	Language clarification.
---	Footnote 1	Added for clarity.
---	Footnote 2	Added per GM06-2016.
---	Footnote 3	Added for clarity.
Part I.A.2 and Part I.A.3	Part I.A.1.a and Part I.A.1.b.	Formatting per January 27, 2010 VPDES Permit Manual, Section IN-1.

**Table 6.** Changes to Part I.B and Part I.C

From:	To:	Reason:
Part I.B.1. a-f O & M Manual	Part I.B.1. a-f O & M Manual	Language updated per January 27, 2010 VPDES Permit Manual Section IN-3.
Part I.B.3 Notification Levels	Part I.B.3 Notification Levels	DEQ PRO convention; numerical citations added for clarity.

From:	To:	Reason:
Part I.B.4 Materials Handling/Storage	Part I.B.4 Materials Handling/Storage	Language updated per January 27, 2010 VPDES Permit Manual Section IN-3.
Part I.B.5 Compliance Reporting	Part I.B.5 Compliance Reporting	Language updated per January 27, 2010 VPDES Permit Manual Section IN-3.
Part I.B.6 Facility Closure Plan	Part I.B.6 Facility Closure Plan	Language updated per January 27, 2010 VPDES Permit Manual Section IN-3.
Part I.B.7 Ground Water Monitoring Plan	Part I.B.7 Ground Water Monitoring Plan	Language updated per January 27, 2010 VPDES Permit Manual Section IN-3; inclusion of a CAP requirement.
Part I.B.8 Water Quality Criteria Monitoring	REMOVED	Water Quality Criteria Monitoring is required as part of the reissuance application.
Part I.B.9 New Dischargers-Form 2C	REMOVED	Permit reissuance, no longer needed.
---	Part I.B.8 CER Special Condition	PRO 6/29/2010 VPDES Staff Meeting Decision.
Part I.C WET Testing	Part I.C. WET Monitoring Program	Language and reporting requirements update per CO coordination 12/13/2010

22. Variances/Alternate Limits or Conditions: None

23. Public Notice Information required by 9 VAC 25-31-280 B:

Comment period: Publishing Newspaper: *The Sussex-Surry Dispatch*  
Publishing Dates: 4/13/2011, 4/20/2011  
Start Date: 4/13/2011 End Date: 5/16/2011

All pertinent information is on file and may be inspected or copied by contacting Janine Howard at:

Piedmont Regional Office  
4949-A Cox Road  
Glen Allen, VA 23060  
t: (804) 527-5046  
f: (804) 527-5106  
janine.howard@deq.virginia.gov

HOW TO COMMENT AND/OR REQUEST A PUBLIC HEARING: DEQ accepts comments and requests for public hearing by e-mail, fax or postal mail. All comments and requests must be in writing and be received by DEQ during the comment period. Submittals must include the names, mailing addresses and telephone numbers of the commenter/requester and of all persons represented by the commenter/requester. A request for public hearing must also include: 1) The reason why a public hearing is requested. 2) A brief, informal statement regarding the nature and extent of the interest of the requester or of those represented by the requester, including how and to what extent such interest would be directly and adversely affected by the permit. 3) Specific references, where possible, to terms and conditions of the permit with suggested revisions. A public hearing may be held, including another comment period, if public response is significant, based on individual requests for a public hearing, and there are substantial, disputed issues relevant to the permit. The public may review the draft permit and application at the DEQ office named above by appointment or may request copies of the documents from the contact person listed above.

24. Additional Comments:

Planning Statement: The discharge is not addressed in any planning document but will be included when the plan is updated. (1/18/2011)

Previous Board Action: None

Threatened and Endangered (T&E) Species Coordination: As required by the 2007 Memorandum of Understanding (MOU) between VDEQ, VDGIF (Virginia Department of Game and Inland Fisheries), VDCR (Virginia Department of Conservation and Recreation), and USFWS (United States Fish and Wildlife Service), a threatened and endangered species screening was conducted for this permit reissuance. The T&E review was performed in accordance with GM 07-2007. This permit was on the 2011 list for VDGIF coordination.

A T&E species screening was conducted using VDGIF's Fish and Wildlife Service for aquatic species. The screening revealed confirmed hits for three species listed as either Federal endangered (FE), State endangered (SE), or State threatened (ST). The species are:

Logperch, Roanoke (FESE)  
Wedgemussel, dwarf (FESE)  
Pigtoe, Atlantic (FSST)

A Threatened and Endangers Species Coordination Form was submitted to VDGIF via email (projectreview@dgif.virginia.gov) on 11/4/2010. VDGIF requested a copy of the application on 12/6/2010. The application was supplied on 12/13/2010 and DEQ received a response on 3/21/2011. DGIF stated that they do not anticipate the reissuance of this existing permit to result in adverse impact to the designated T&E waters or its associated species. VDGIF recommended contacting the U.S. Fish and Wildlife Service (USFWS) regarding the federally listed species.

USFWS contacted DEQ the same day requesting a copy of the Threatened and Endangered Species review sheet, the effluent limits page for the permit, and pertinent pages of the Fact Sheet that describe the facility and derivation of any permit limits. All requested documents were supplied to USFWS on 3/23/2011.

The effluent limitations in this permit are designed to be protective of aquatic life and Virginia Water Quality Standards and are expected to provide adequate protection against aquatic toxicity for the aforementioned species.

See **Attachment G** for threatened and endangered species coordination documents.

Virginia Department of Health (VDH) review

By letter dated 12/1/2010 VDH stated:

"The raw water intake for the GCWSA- Jarratt Waterworks is located approximately 10 miles downstream of the discharge. This should be sufficient distance to minimize the impacts of the discharge.

The outfall discharges to an unnamed tributary of Hardwood Creek, which flows approximately 4.3 miles before reaching the Nottoway River. The GCWSA- Jarratt intake is located approximately 5.7 miles downstream of the point at which Hardwood creek discharges to the Nottoway River and discharge from the outfall must flow a total of 10 miles before reaching the intake."

Nutrient Requirements

Discharges to the Chowan Basin are not subject to 9 VAC 25-820-10 et seq. General VPDES Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia. Additionally, the Chowan River Sub-Basin Section 2b is not subject to the Nutrient Enriched Waters designations found in 9VAC 25-260-350 of the Water Quality Standards regulation.



Staff Comments:

- a. Reduced monitoring has not been applied for this facility. In accordance with the January 27, 2010 VPDES Permit Manual Section IN-2, Part D.5.e.(1) reduced monitoring is not appropriate for this facility due to the discontinuous nature of the discharge.
- b. The previous (first) issuance of this permit relied on testing of effluent from the Old Hickory Concentrator which showed the presence of Copper and Zinc. Copper and zinc were not limited pending review of permit Attachment A data from the Concord Concentrator. Permit Attachment A data review for the Concord concentrator indicates that these pollutants tested below agency QLs and were therefore considered absent for the purposes of this evaluation. As such, a reasonable potential analysis for these parameters was not warranted.
- c. This facility is covered under VPDES Industrial Storm Water General permit VAR051396, effective July 1, 2009. This permit addresses non-contact stormwater runoff from the site. It is authorized by 9 VAC 25-151.
- d. A groundwater monitoring plan was approved for the site on July 22, 2005. A review of the data revealed pH groundwater concerns associated with the integrity of the treatment units. The pH groundwater standard was violated at all three monitoring wells (including the upgradient well); however, a statistically significant difference in groundwater acidity was found at both the down-gradient wells. Total dissolved solids (TDS) concentrations were elevated at both downgradient wells; a statistically significant difference in TDS concentration was identified at the downgradient well, MW-2, an indication of the reasonable potential that leakage of the treatment units may affect groundwater. For this reason a Corrective Action Plan is required by this permit. Continued groundwater monitoring in accordance with the approved plan and the 2011 permit special condition (which increases the monitoring frequency to quarterly) is required. See **Attachment I**.
- e. The facility does not qualify for the Non-Metallic Mineral Mining General Permit because metallic minerals are mined.
- f. This permittee is not a member of the Virginia Environmental Excellence Program (VEEP).
- g. The discharge is not controversial and is currently meeting the required effluent limitations.
- h. The permittee has been an e-DMR participant since 3/22/2007.
- i. The 2010 permit fees have been paid.
- j. EPA has waived the right to comment and/or object to the adequacy of the draft permit.
- k. A waiver request was submitted to DEQ on 1/5/2011 requesting permission to use dissolved metals data to complete EPA Form 2C in substitute of the total recoverable metals data that the form requires. DEQ granted the waiver request on 1/20/2011. See **Attachment J** for associated materials.

Public Comment: No comments were received during the public comment period. No changes have been made to the draft permit as a result of the public comment period.

25. 303(d) Listed Segments (TMDL): Not Applicable

26. Fact Sheet Attachments:

- Attachment A. Flow Frequency Memorandum
- Attachment B. Plant flow diagram, Facility Diagram
- Attachment C. USGS Cherry Hill Topographic Map (040 A)
- Attachment D. Site Inspection Report
- Attachment E. Effluent Data, MSTRANTI data source report, MSTRANTI, STATS results
- Attachment F. NPDES Permit Rating Worksheet
- Attachment G. Threatened and Endangered Species Coordination
- Attachment H. WETLIM results, Toxics Management Plan (TMP) Memorandum
- Attachment I. Groundwater Monitoring Plan (Approved 7/22/2005) and Data Evaluation
- Attachment J: Waiver Request, Memo and Approval